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PROMOTION AND PROTECTION OF HUMAN RIGHTS

Letter dated 3 March 1999 from the Permanent Representative of Azerbaijan to the United Nations Office in Geneva addressed to the secretariat of the fifty-fifth session of the Commission on Human Rights

I have the honour to transmit to you herewith information on measures in the field of human rights undertaken by the Government of the Republic of Azerbaijan in the year of the fiftieth anniversary of the Universal Declaration of Human Rights.

I would be grateful if you could circulate the present letter and the above-mentioned information* as an official document of the fifty-fifth session of the Commission on Human Rights under item 17 of the provisional agenda.

(Signed) Sima Eivazova
Ambassador
Permanent Representative

* The annex is reproduced in the language of submission only.

Annex

INFORMATION ON MEASURES IN THE FIELD OF HUMAN RIGHTS UNDERTAKEN BY THE GOVERNMENT OF THE REPUBLIC OF AZERBAIJAN IN THE YEAR OF THE FIFTIETH ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

1. Despite obstacles, mainly those presented by the continued military occupation of a part of the territory of Azerbaijan by neighbouring Armenia and the presence of about one million refugees and forcibly displaced persons in the country, the progress of democratic processes, the rule of law, the protection and promotion of civil, political, economic, social and cultural rights and freedoms are now realities of life in Azerbaijan.

2. One of the significant stages on the way towards the democratization of society and the formation of a State governed by the rule of law was the adoption, on 12 November 1995, as a result of a nationwide referendum, of the first Constitution of independent Azerbaijan, which reflected the principles of the Universal Declaration of Human Rights and established the basis for the legal reforms which are now under way in the country, in accordance with international and European standards on human rights. Ensuring human rights and fundamental freedoms has been reaffirmed in the Constitution as a main goal of our State. The Basic Law of Azerbaijan provides for the separation of powers, for freedom of speech and information, freedom of assembly and the right to form political parties, trade unions and other organizations.

3. In the short period since the restoration of its independence, Azerbaijan, which accepted the rule of universal values, the establishment of a democratic, legal and secular society as a model for development, has acceded to all the principal international instruments and many other multilateral treaties on human rights.

4. The initial reports submitted by the Government of Azerbaijan under the two International Covenants on Human Rights, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women have been already examined by the relevant treaty bodies.

5. In December 1998, the initial reports of Azerbaijan under the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment were submitted to the Secretary-General of the United Nations for consideration by the relevant treaty bodies.

6. The right to equal participation in the cultural life of the society is provided by the Law on Culture, adopted by the Parliament on 6 February 1998.

7. Guided by article 3 of the Universal Declaration of Human Rights, which proclaims everyone's right to life, on 10 February 1998, at the legislative initiative of the President of Azerbaijan, the Parliament totally abolished the death penalty in Azerbaijan.

8. With the purpose of the citizen's right to vote, the Laws on the Central Election Commission, on the Election of the President of Azerbaijan and on the Bringing in of Amendments and Changes to the Law on the Election of the President of the Republic of Azerbaijan, elaborated with the participation of the Office for Democratic Institutions and Human Rights of the Organization

for Security and Cooperation in Europe, the United States National Democratic Institute for International Affairs, representatives of opposition parties and individuals, were adopted in May, June and July 1998.

9. On 30 September 1998, the Parliament adopted the Law on Citizenship, elaborated with the expert assistance of the Office of the United Nations High Commissioner for Refugees and the Council of Europe.

10. With the purpose of promoting further development of democracy and human rights protection in Azerbaijan on the eve of the fiftieth anniversary of the Universal Declaration, the President of the Republic of Azerbaijan issued the following decrees and instructions:

"On measures in the Field of Ensuring the Citizen's and Human Rights and Freedoms" (see E/CN.4/1998/151);

"On Additional Measures to Provide for Freedom of Speech, Thought and Information" (see E/CN.4/Sub.2/1998/37);

"On the State Programme for the Protection of Human Rights";

"On Additional Measures to Promote a Higher Level of Juridical Education and Wider Dissemination of Information on the Protection of Human Rights and Election Legislation";

"On the Establishment of the Scientific-Research Institute on Human Rights of the Academy of Sciences";

"On Celebration of the Fiftieth Anniversary of the Universal Declaration of Human Rights and the Establishment of the Governmental Commission on this Occasion".

11. The President of Azerbaijan appealed on 23 June and 4 August 1998 to the main opposition political parties on the occasion of the forthcoming presidential elections in Azerbaijan.

12. On 18 August 1998, a project document entitled "On the strengthening of capacities and infrastructures for the promotion and protection of human rights in the Republic of Azerbaijan" was signed by the Government of Azerbaijan and the United Nations High Commissioner for Human Rights.

13. On 25 November 1998, a memorandum was signed between the Government of Azerbaijan and the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe.

14. Speaking at the celebration of the fiftieth anniversary of the Universal Declaration held on 10 December 1998, in Baku, President Heydar Aliyev focused on the mass human rights violations of Azerbaijanis as a result of the continuing aggression of Armenia against Azerbaijan and stressed the need for all officials to carry out their duties to protect human rights.